

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

No. 15-CR-434 MV

vs.

JULIAN CONCHA,

Defendant.

**DEFENDANT'S MOTION TO MODIFY**  
**CONDITIONS OF RELEASE**  
(To be heard by Magistrate Judge)

COMES NOW, the Defendant Julian Concha, by and through his counsel of record Assistant Federal Public Defender Irma Rivas, and pursuant to 18 U.S.C. §§ 3143, 3142 and respectfully requests that this Honorable Court allow Mr. Concha's release from third party release, La Pasada Halfway House, to his own recognizance with supervision by pretrial services and that he be allowed to return to his home, his work and his family in Santa Fe. In support of this Motion, counsel states:

1. On August 6, 2015, Mr. Concha entered a guilty plea on this matter. Sentencing is pending. At the time he entered his plea, exceptional circumstances were found by the court and he was allowed to remain on third party release to La Pasada Halfway House.

2. Mr. Concha recently became a father. He is working and sending as much money as possible to his wife and child. If he were allowed to live at home, the payment that would normally be given to La Pasada could be given to his wife to help build a savings before Mr. Concha returns to court to begin serving his sentence.

3. Assistant United States Attorney Kristopher Houghton opposes this Motion.

4. United States Probation Pre-Trial Services Officer John Lovato does not oppose the Motion.

WHEREFORE, Defendant, Julian Concha, respectfully requests that this Honorable Court release him on his own recognizance with pretrial supervision and on such further terms and conditions as this Honorable Court may deem to be appropriate.

I HEREBY CERTIFY THAT on the 15<sup>th</sup> Day of October 2015, I filed the foregoing electronically through the CM/ECF system, which caused AUSA Kristopher Houghton to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER  
111 Lomas NW, Suite 501  
Albuquerque, NM 87102  
(505) 346-2489

/s/ *filed electronically*  
IRMA RIVAS, AFPD  
Attorney for Defendant

*filed electronically*